



The Town of Fenwick Island

800 Coastal Highway, Fenwick Island DE 19944-4409
302-539-3011 ~ 302-539-1305 fax
www.fenwickisland.delaware.gov

NOTICE

On June 26, 2020, the Fenwick Island Town Council
Passed the Following Resolution #102-2020
Fee Schedule FY 2020-2021

ANNUAL BUSINESS LICENSE FEES

- (1) Retail Merchant (100-3-A)
 - (a) \$185 + .10 per square foot of floor space +
\$53 Emergency Medical Service (EMS) fee
- (2) Building or Service Contractor (100-3-B)
 - (a) \$75 if Revenue made in Town is less than \$1500 yearly
 - (b) \$200 if Revenue made in Town are more than \$1500 yearly
 - (c) \$5 for Business License Decal (additional)
- (3) Rental Landlord (100-3-C)
 - (a) \$185 for Residential and Commercial rentals
 - (b) \$185 + \$7.20 per sleeping unit for motels / hotels
- (4) Vending Machines (100-3-D)
 - (a) \$25 Newspaper and postage
 - (b) \$50 Dispensing machines (drink, food, candy, ice)
 - (c) \$50 Children's amusement
 - (d) \$75 Music
 - (e) \$200 ATM
 - (f) \$250 Amusement and games

BUILDING PERMIT FEES

- (1) 3% of estimated construction cost \$100 minimum (61-8)
- (2) \$350 Permit for approved building move (61-12-B)
- (3) Renewable Energy Building Permit Fee – 2% ECC or \$100 whichever is less (160-7)

DUMPSTER/TEMPORARY POD FEE (61-1-F)

- (1) \$50 Permit Fee

SIGN PERMITS FEES (136-6-C)

- (1) \$200 Multiple use identification sign (135-6-C)
- (2) Single use identification sign \$2 per lineal foot up to maximum of \$100 (135-6-C)
- (3) \$20 All other sign permits (135-6-C)

PARKING PERMIT FEES (112-11-P)

- (1) \$2.50 Hourly (2 hour minimum)
- (2) \$20 Daily
- (3) \$120 Weekly
- (4) \$400 Summer
- (5) \$400 Additional Resident Hang Tag (BLUE)
- (6) \$100 Resident Merchant Employee Permit (ORANGE)
- (7) \$200 Replacement of lost permit

FINANCIAL FEES

- (1) \$100 Charge for checks returned for insufficient funds
- (2) \$100 Late payment of Business License Fee(s)
- (3) \$200 Collection letter from Town Legal Counsel

HEARING FEES

- (1) Board of Adjustments and Zoning (160-13-B)
 - \$750 Basic Application to the Board
 - \$1,200 Application requiring Town Solicitor review
 - \$2,000 Application requiring Town Solicitor and court stenographer
- (2) \$500 Council Hearing / House Move (61-12-A)
- (3) \$500 Council Hearing / Sub-Division (142-2-A)
- (4) \$500 Council Hearing / Code Exceptions (160-10-B)

OTHER FEES

- (1) Beach Bonfire Permit \$100 fee + \$100 deposit
- (2) Villalon Hall Rental \$40 fee + \$40 deposit
 - Annual non-profit fee \$50.00
- (3) Special Events \$150 fee + \$250 deposit
- (4) Special Event Police Coverage Fees
 - Events less than 75 persons 2 hours min., \$100 per hour
 - Events exceeding 75 persons 4 hour min., \$100 per hour
- (5) Junior Lifeguard
 - \$75 Junior Program
 - \$120 Advanced Program

COPY FEES

- (1) \$0.50 Xerox or computer print-out copy
- (2) \$25 Audio cassette / CD / DVD
- (3) \$500 Town Code Book
- (4) \$100 Town Merchant Address List (PDF available)
- (5) \$150 Property Owner Address List (PDF available)

REAL ESTATE PROPERTY TAX

- (1) \$0.174015 per \$100 assessed value

OTHER FEES

\$53 Emergency Medical Service (EMS)
\$269 Waste Administration

Attest: _____
Linda Martin, Town Clerk

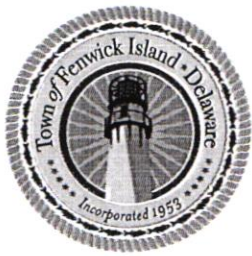
Eugene N. Langan, Mayor

Bernie Merritt, Council Secretary

I, Bernie Merritt, Secretary of the Town Council of the Town of Fenwick Island, Delaware, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the President and Council at a meeting on June 26, 2020, at which a quorum was present and voting throughout and the same is still in force and effect.

Date

Bernie Merritt, Council Secretary



The Town of Fenwick Island

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TOWN OF FENWICK ISLAND, DELAWARE

RESOLUTION #103-2020

ADOPTING THE FISCAL YEAR 2021 OPERATING BUDGET, AND THE FISCAL YEAR 2021 CAPITAL IMPROVEMENT BUDGET

WHEREAS, § 23 of the Charter of the Town of Fenwick Island requires a financial plan for conducting the affairs of the Town for the ensuing fiscal year; and

WHEREAS, the Town Manager has prepared a detailed estimate showing the income and expenses of conducting each department for the ensuing fiscal year with reasons for the increases and decreases recommended; and

WHEREAS, proposed Fiscal Year 2021 Operating and Capital Improvement Budgets were presented to the Mayor and Council, who have reviewed and amended it.

NOW, THEREFORE, BE IT RESOLVED that the operating budget attached hereto as Exhibit A is adopted as Fiscal Year 2021 Operating Budget for the Town of Fenwick Island.

BE IT FURTHER RESOLVED that the capital improvement budget attached hereto as Exhibit B is adopted as the Fiscal Year 2021 Capital Improvement Budget for the Town of Fenwick Island.

THEREFORE, BE IT FURTHER RESOLVED that this Resolution was passed by a majority of the Town Council of Fenwick Island on this 26th day of June, 2020.

Attest: _____
Linda Martin, Town Clerk

Eugene N. Langan, Mayor

Bernie Merritt, Council Secretary

I, Bernie Merritt, Secretary of the Town Council of the Town of Fenwick Island, Delaware, do hereby certify that the foregoing is a true and correct copy of the Resolution passed by the President and Council at a meeting on June 26, 2020, at which a quorum was present and voting throughout and the same is still in force and effect.

Date

Bernie Merritt, Council Secretary

**AN ORDINANCE TO RE-ESTABLISH A MORATORIUM UPON THE
ISSUANCE OF ANY PERMIT, LICENSE OR OTHER APPROVAL FOR
OR INVOLVING NEW MOTEL/HOTEL USES IN THE TOWN OF
FENWICK ISLAND.**

WHEREAS, the Town of Fenwick Island (hereinafter "Town") currently allows motels/hotels as a permitted use in the Commercial Zone; and

WHEREAS, on or about February 26, 2016, the Town Council approved an Ordinance imposing a moratorium upon the issuance of any permit, license or other approval for or involving new motel/hotel uses in the Town for a period of two (2) years (hereinafter "Original Ordinance"); and

WHEREAS, in accordance with the Original Ordinance, prior to the expiration of the moratorium imposed by the Original Ordinance, the Town Council extended the moratorium for another two (2) year period; and

WHEREAS, the Original Ordinance, as extended, expired on or about February 26, 2020, without any additional action being taken by the Town Council to further extend the moratorium for an additional period of time; and

WHEREAS, the Town Council finds that it is necessary and appropriate to re-establish the moratorium imposed by the Original Ordinance, as additional review and discussion is necessary to determine whether or not an expansion of the total number of motel/hotel uses in the Town would create a positive or negative impact on the Town's infrastructure, the Town's economy, the Town's commercial district, the Town's residents and/or the Town's property owners;

WHEREAS, the Town Council finds that continuing to maintain the status quo of existing motel/hotel uses by re-establishing a moratorium upon the issuance of any permit, license or other approval for or involving new motel/hotel uses in the Town for a period of fifteen (15) months is the minimum time period necessary for the Town to continue its review and discussion about the positive and negative impacts of the possible expansion of motel/hotel uses in the Town.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Fenwick Island, in session met, a quorum pertaining at all times thereto, that:

Section 1. A moratorium upon the issuance of any permit, license or other approval for or involving new motel/hotel uses in the Town is hereby re-established and imposed for a period of fifteen (15) months after the date of adoption of this Ordinance, unless extended, modified, or terminated in accordance with this Ordinance. During the period of said moratorium, the Town's Building Official/Code Enforcement Official, as well as all other Town

staff and boards, committees or commissions, shall not grant any approvals which would have, as the result, the establishment or development of any new motel/hotel uses in the Town.

Section 2. This moratorium shall not apply to existing motel/hotel uses in Town. The parcels in Town already devoted to motel/hotel uses, as of the adoption of this Ordinance, may continue to be used for a motel/hotel use and the owners/operators thereof may maintain, remodel, renovate, reconstruct and/or rebuild the structures located on said parcels as they deem necessary and appropriate for the furtherance of their motel/hotel businesses, provided all necessary permits and approvals from the Town and/or any other applicable governing agency are obtained.

Section 3. This Ordinance may be extended, modified, or terminated at any time by a majority vote of all members of the Town Council. Without action by the Town Council to terminate this moratorium early or to further extend this moratorium, the moratorium hereby imposed shall automatically dissolve and terminate fifteen (15) months from the effective date of this Ordinance.

Section 4. If any clause, section or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered eliminated and so not affecting the validity of the remaining portions or application remaining in full force and effect.

Section 5. This Ordinance shall become effective upon its adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2020.

PASSED ON SECOND READING, AFTER PUBLIC HEARING HELD ON THIS
____ DAY OF _____, 2020.

I, Bernie Merritt, Secretary of the Town Council of the Town of Fenwick Island, do hereby certify that the foregoing is a true and correct copy of an Ordinance passed by the Town Council at its Regular Meeting held on _____, 2020, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Bernie Merritt, Secretary

“Recreational fires (campfires, patio fire pits, barbeques, etc.) are allowed year-round throughout the State of Delaware (they are exempt from the Burn Ban). Recreational fires do not require a permit from the State of Delaware, and they are also exempt from the 8 a.m.—4 p.m. time restriction. This means they may occur throughout the year, including evenings and nights.

Recreational fires may only be comprised of woody vegetative material such as small tree limbs, sticks, branches, etc, as well as split hardwood. It is illegal to burn leaves, grass, and trash (this includes paper, fabric, cardboard, junk, etc.). Old pieces of lumber are conditionally allowed. Unstained, unpainted, and untreated lumber used for a recreational fire is allowable. Unstained, unpainted, and untreated lumber being burned for the purpose of disposing of it, cleaning up a yard, etc. is strictly prohibited.

There is also a limit as to how much material may be burned at one time. A maximum of 27 cubic feet is the limit for recreational fires (that's a pile of material that's 3 feet tall x 3 feet wide x 3 feet deep). As the material burns down, more may be added to the pile, but 27 cubic feet is the most citizens may burn at one time. There are no open burning regulations regarding the size of a fire pit, only the amount of material that may be burned at one time.

There are rules within the open burning regulation that state open burning may not interfere with the health or enjoyment of one's property. They are:

- Reg. 1113, 4.4 No person shall cause or allow open burning otherwise permitted by this regulation when, in the judgment of any Department employee, fire marshal or law enforcement officer.
- 4.4.2 The open burning impacts a person's health, comfort, use or enjoyment of his or her real property.

The Department responds to many calls throughout the year from people complaining about their neighbors' recreational fires. While it is policy to follow up on all complaints, it is up to the responding officer to determine, in their best judgment, whether a claim is realistic. If a citizen is burning legal materials in a recreational fire containing no more than the allowable amount, the responding officer will not fine them.

Even though recreational fires are exempt from the Burn Ban, it is prohibited to burn on Air Quality Action Days including Code Red or Code Orange Action Days (The Air Quality Forecast is displayed on DNREC's Homepage, or you may call 1-800-872-7261), as well as any time the Delaware State Fire Marshal has issued a burning ban. This applies to recreational fires.

FYI, burning for the sole purpose of disposing of woody, vegetative material (small tree limbs, brush, branches, etc.) that has come from that particular property in an effort to clean it up, has to wait until October 1, and would only be allowed to take place from 8am until 4pm. In addition, burning old lumber in this type of fire (in order to dispose of it, or to clean up a yard) is strictly prohibited. The resident would also be required to call the Sussex County Fire Board both immediately before and after their fire. That phone number is (302) 856-6306.”